Writ Petition no.574/(S/S) of 2003

Smt.Jahnavi Mishra---------- Petitioner

Versus

State of Uttaranchal and others---------- Respondents

Hon'ble M.M.Ghildiyal J.

Heard Sri Prakash Singh Bist learned counsel for the petitioner and learned Standing Counsel.

The petitioner who was working as a head mistress in Primary School Dhari block Yamkeshwar district Pauri Garhwal by order dated 23.10.2002 was attached to Primary School Shakunal Kendra Jhandi Chaud district Pauri Garhwal. It appears that this order was passed considering the disability of the petitioner which is according to the petitioner is 40 per cent. The petitioner is also a resident of Kishanpur which is one kilometer away from Primary School Jhandi Chaud. By order dated 30.06.2003 one Smt. Lata has been sent in place of the petitioner in Primary School Jhandi Chaud. By order dated 22.07.2003 the petitioner has been asked to join at Primary School Dhari where she was earlier working. The petitioner has challenged the order dated 30.06.2003 by which one Smt. Lata was sent in place of the petitioner at Primary School Jhandi Chaud and order dated 22.07.2003 by which the petitioner has been asked to join at Dhari school after canceling the attachment order.

I find no illegality in the order. However, considering the fact that the petitioner is a disabled lady and the disability is of 40 per; cent the petitioner is directed to make a representation to the Assistant Director Basic Pauri Garhwal Region within a period of 10 days from today and the Assistant Director Pauri Region shall decide the representation of the petitioner sympathetically within a period of 10 days thereafter. The Assistant Director shall communicate the decision to the petitioner before 20.8.2003. Till 20.8.2003 the petitioner shall not be relieved.

With these observations the writ petition is disposed of finally.

(M.M.Ghildiyal J.)

July 29, 2003.
MPS